

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 9/7/12

Jean C. Lattin
Signature

Jean C Lattin
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

In Equity No. C-125-ECR
Subfile No. C-125-B

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

**DISCLAIMER OF INTEREST IN
WATER RIGHTS AND NOTICE OF
RELATED INFORMATION AND
DOCUMENTATION SUPPORTING
DISCLAIMER**

v.

WALKER RIVER IRRIGATION

DISTRICT,

a corporation, et al.,

Defendants.

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, **disclaims all interest in this action.**

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk
United States District Court for the District of Nevada
400 South Virginia Street, Suite 301
Reno, NV 89501

And

Susan L. Schneider
United States Department of Justice
P.O. Box 756
Littleton, CO 80160

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed
6 ownership: *Has never owned water rights in the Walker River*

7 Name(s): *Irrigation District.*

8 *Jean C Lattin*

9 Street or P.O. Box:

10 *3300 Sheekler Road*

11 Town or City:

12 *Fallon*

13 State:

14 *NV*

15 Zip Code: *89406*

16 2. The name and address of each person or entity who acquired ownership

17 Name(s):

18 *N/A*

19 Street or P.O. Box:

20 Town or City:

21 State:

22 Zip Code:

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3 3. Attached to or included with this notice is a copy of the (check appropriate
4 box(es)):

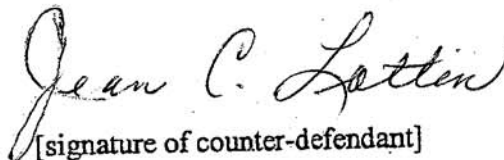
- 5
6 ☐ Deed
7 ☐ Court Order
8 ☐ Other Document.
9

N/A

10 by which the change in ownership was accomplished.

11 4. The undersigned acknowledges that any person or entity who files a Disclaimer
12 of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
13 the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,
14 in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of
15 this litigation.

16 Executed this 7th day of Sept 2012.

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[signature of counter-defendant]

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24 Jean C. Lattin
25 [name of counter-defendant]
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[name, if applicable, of person acting on
behalf of counter-defendant]

[signature, if applicable, of person acting on
behalf of Counter-Defendant]

[address]
3300 Sheekler Rd
Fallon, NV 89406
[telephone number]
775-867-3291

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 9/7/12

Richard S. Lattin
is deceased

Jill L. Christiansen
Signature

Jill L. Christiansen
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

In Equity No. C-125-ECR
Subfile No. C-125-B

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

**DISCLAIMER OF INTEREST IN
WATER RIGHTS AND NOTICE OF
RELATED INFORMATION AND
DOCUMENTATION SUPPORTING
DISCLAIMER**

v.

WALKER RIVER IRRIGATION
DISTRICT,
a corporation, et al.,

Defendants.

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk
United States District Court for the District of Nevada
400 South Virginia Street, Suite 301
Reno, NV 89501

And

Susan L. Schneider
United States Department of Justice
P.O. Box 756
Littleton, CO 80160

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed
6 ownership:

7 Name(s): *Richard S. Lattin is deceased.*

8
9 Street or P.O. Box:

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11 Town or City:

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13 State:

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15 Zip Code:

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17 2. The name and address of each person or entity who acquired ownership

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19 Name(s):

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21 Street or P.O. Box:

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23 Town or City:

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25 State:

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27 Zip Code:

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3 3. Attached to or included with this notice is a copy of the (check appropriate
4 box(es)):

- 5
6 ☐ Deed
7 ☐ Court Order
8 ☐ Other Document.
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10 by which the change in ownership was accomplished.

11 4. The undersigned acknowledges that any person or entity who files a Disclaimer
12 of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
13 the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,
14 in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of
15 this litigation.

16 Executed this 7th day of Sept 2012.

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21 [signature of counter-defendant]
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[name, if applicable, of person acting on
behalf of counter-defendant]

Jill L. Christensen

[signature, if applicable, of person acting on
behalf of Counter-Defendant]

Jill L. Christensen

[address]

*3655 Sheekler Rd.
Fallon, NV 89406*

[telephone number]

775-867-3291

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 1.4.13


Signature

JEAN M. PARRAGUIRRE
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: CO-TRUSTEE of

(Title)

LDP RANCH TRUST DATED OCTOBER 26TH, 2006
(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

ENTERED	RECEIVED
COUNSEL/PARTIES OF RECORD	
JAN 07 2013	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

v.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

Defendants.

In: Equity No. C-125-ECR

Subfile No. C-125-B

NOTICE OF CHANGE OF
OWNERSHIP OF WATER RIGHT

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has sold or otherwise conveyed ownership of all or a portion of a water right within one or more of the categories set forth in Paragraph 3 of the Case Management Order and provides the following information:

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

THE LDP RANCH TRUST DATED OCTOBER
Name(s) 25TH, 2006
10610 APPLE MILL DR., RENO, NV 89521
Street or P.O. Box

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Town or City State ZipCode

2. The name and address of each person or entity who acquired ownership

CENTENNIAL LIVESTOCK

Name(s)

652 WEST CROMWELL AVE, STE 101

Street or P.O. Box

FRESNO

Town or City

CA

State

93711

ZipCode

3. Attached to or included with this notice is a copy of the (check appropriate box(es)):



Deed



Court Order



Other Document

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Notice of Change of Ownership of Water Right using this form is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files

This notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk
United States District Court for the District of Nevada
400 South Virginia Street, Suite 301
Reno, NV 89501

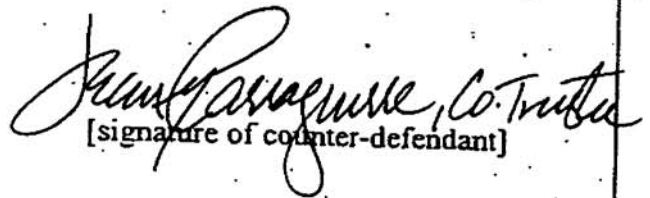
And

~~Susan L. Schneider~~
~~United States Department of Justice~~
~~P.O. Box 756~~
~~Littleton, CO 80160~~

Susan L. Schneider
United States Department of Justice
999 18th Street
South Terrace - Suite 370
Denver, CO 80202

such a notice, but retains such water rights, shall nevertheless, be bound by the results of this litigation.

Executed this 4th day of January 2013


[signature of counter-defendant]

LSP RANCH TRUST
DATED OCTOBER 26TH, 2006
[name of counter-defendant]

[signature, if applicable, of person acting on
behalf of counter-defendant]

JEAN M. PARRAGUIERE
[name, if applicable, of person acting on
behalf of counter-defendant]

10610 APPLE MILL DRIVE
RENO, NV 89521

[address]

(775) 233-3319
[telephone number]

RECORDING REQUESTED BY
 INYO-MONO TITLE COMPANY

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS
 OTHERWISE SHOWN BELOW, MAIL TAX STATEMENT TO:

CENTENNIAL LIVESTOCK
 DAVID E. WOOD
 652 WEST CROMWELL AVE, STE 101
 FRESNO, CA 93711

Doc # 2012006824
 Page 1 of 7
 Date: 12/20/2012 01:20P
 Filed by: INYO-MONO TITLE COMPANY
 Filed & Recorded in Official Records
 of MONO COUNTY
 LYNDA ROBERTS
 CLERK-RECORDER
 Fee: \$312.18

ESCROW NO. 135852 TITLE ORDER NO. 135852

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX IS \$276.10

UNINCORPORATED AREA

PROPERTY ID NO. 008133034000, 008080008000, 008142025000, 008143001000 AND 008133032000

(X) COMPUTED ON FULL VALUE OF INTEREST OR PROPERTY CONVEYED, AND

FOR A VALUABLE CONSIDERATION, RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED,

JEAN M. PARRAGUIRRE, JAMES M. PARRAGUIRRE AND JULIE A. PARRAGUIRRE, AS CO-TRUSTEES, OR TO THE
 SUCCESSOR TRUSTEE, OF THE LDP RANCH TRUST DATED OCTOBER 25TH, 2006

HEREBY GRANT(S) TO

CENTENNIAL LIVESTOCK, A CALIFORNIA GENERAL PARTNERSHIP

THE FOLLOWING DESCRIBED REAL PROPERTY IN THE COUNTY OF MONO, STATE OF CALIFORNIA:

LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF

DATED: DECEMBER 7, 2012

STATE OF CALIFORNIA
 COUNTY OF

San Francisco

On December 10, 2012 before me,

Christy M. Mangini, notary public

personally appeared

JEAN M. PARRAGUIRRE AND JAMES M. PARRAGUIRRE

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

SIGNATURE

Christy M. Mangini

THE LDP RANCH TRUST DATED OCTOBER 25TH, 2006

BY: Jean M. Parraguire, Co-Trustee
 JEAN M. PARRAGUIRRE, CO-TRUSTEE

BY: James M. Parraguire, Co-Trustee
 JAMES M. PARRAGUIRRE, CO-TRUSTEE

SEE ATTACHED PAGE FOR ADDITIONAL SIGNATURE



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of NEVADA ~~CALIFORNIA~~

County of Washoe

On December 7, 2012 before me, Tanya M. Yamagata
(Name & Title of Notary - "Mary Smith, Notary Public")

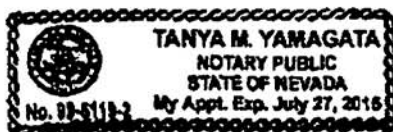
personally appeared Jean M. Parraguirre

who proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person (s), or the entity upon behalf of which the person (s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of ~~California~~ ^{Nevada} that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Tanya M. Yamagata
Signature of Notary Public



Optional - DESCRIPTION of ATTACHED DOCUMENT

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer (s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

- ☐ Individual
- ☐ Corporate Officer - Title (s) _____
- ☐ Partner - ☐ Limited ☐ General
- ☐ Guardian or Conservator
- ☐ Attorney-in-Fact
- ☐ Trustee
- ☐ Other: _____

Right Thumbprint of _____

Right Thumbprint of _____

Signer is representing: _____

135852

LEGAL DESCRIPTION

PARCEL 1: (APN 08-133-34)

THAT CERTAIN REAL PROPERTY IN THE COUNTY OF MONO, STATE OF CALIFORNIA, BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 25 EAST, MOUNT DIABLO BASE AND MERIDIAN, AND SAID PORTION ALSO BEING A PART OF PARCEL #2 AND DESCRIBED IN THE DEED FROM PAUL C. YPARRAGUIRRE TO P.M. AND BERTHA R. YPARRAGUIRRE AND RECORDED IN VOLUME 49, PAGE 348 OF OFFICIAL RECORDS OF SAID COUNTY, AND FURTHERMORE SAID PORTION ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE LOT FORMERLY OWNED BY A.S. PIMENTEL AND IRENE B. PIMENTEL AS DESCRIBED IN THE DEED RECORDED IN VOLUME 35, PAGE 22 OF OFFICIAL RECORDS OF SAID COUNTY;

THENCE ALONG A SOUTHERLY EXTENSION OF THE EASTERLY LINE OF SAID PIMENTEL LOT A DISTANCE OF 125.00 FEET;

THENCE IN A WESTERLY DIRECTION, ALONG THE SOUTH LINE OF SAID PARCEL #2, A DISTANCE OF 971.50 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF THE LOT FORMERLY OWNED BY THERESA LEAVITT AS DESCRIBED IN THE GRANT DEED FROM PAUL C. YPARRAGUIRRE TO THERESA LEAVITT AND RECORDED IN BOOK 45, PAGE 270 OF OFFICIAL RECORDS OF SAID COUNTY;

THENCE NORTHERLY ALONG THE EAST LINE OF SAID LEAVITT LOT, 25.00 FEET TO THE SOUTHEAST CORNER OF THE LOT DESCRIBED IN THE WARRANTY DEED FROM P.M. YPARRAGUIRRE AND BERTHA PARRAGUIRRE TO THERESA LEAVITT AND RECORDED IN VOLUME 23, PAGE 233 OF OFFICIAL RECORDS OF SAID COUNTY;

THENCE NORTHERLY ALONG THE EAST LINE OF SAID LAST MENTIONED LEAVITT LOT, A DISTANCE OF 100 FEET TO THE SOUTH LINE OF THE LOT DESCRIBED IN THE DEED FROM P.M. YPARRAGUIRRE AND BERTHA YPARRAGUIRRE TO THERESA LEAVITT AND RECORDED IN VOLUME 22, PAGE 38 OF OFFICIAL RECORDS OF SAID COUNTY;

THENCE EASTERLY ALONG SAID SOUTH LINE TO A POINT OF INTERSECTION WITH THE WEST LINE OF THAT PROPERTY DESCRIBED IN THE GRANT DEED FROM GEO. A. KIRKWOOD TO GRACE A. KIRKWOOD AND RECORDED IN VOLUME 2, PAGE 21 OF OFFICIAL RECORDS OF SAID COUNTY;

THENCE SOUTHERLY ALONG SAID WEST LINE OF KIRKWOOD TO THE SOUTHWEST CORNER OF SAID KIRKWOOD PROPERTY;

THENCE EASTERLY ALONG THE SOUTH LINE OF SAID KIRKWOOD PROPERTY; THE SOUTH LINE OF THE PROPERTY DESCRIBED IN THE DEED FROM C.R. WEDERTZ TO JACK C. NICHOLS AND BETTY V. NICHOLS AND RECORDED IN VOLUME 32, PAGE 53 OF OFFICIAL RECORDS OF SAID COUNTY, THE SOUTH LINE OF THE PROPERTY DESCRIBED IN THE JOINT TENANCY DEED FROM GRACE PATRICIA DENTON TO N. EDWARD DENTON AND GRACE PATRICIA DENTON AND RECORDED IN VOLUME 34, PAGE 202 OF OFFICIAL RECORDS OF SAID COUNTY, THE SOUTH LINE OF THAT CERTAIN PARCEL OF LAND WITH DIMENSIONS SHOWN AS 300 FT X 300 FT AND ENTITLED "SCHOOL GROUNDS" PER THE MAP OF THE TOWN SITE OF BRIDGEPORT, RECORDED IN BOOK 1, PAGE 18 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THE SOUTH LINE OF THE PROPERTY DESCRIBED IN THE DEED FROM D.M. SMITH AND GERTRUDE SMITH TO C.W. WEST AND ALICE WEST AND RECORDED IN VOLUME 19, PAGE 497 OF OFFICIAL RECORDS OF SAID COUNTY, THE SOUTH LINE OF THE PROPERTY DESCRIBED IN THE JOINT TENANCY DEED FROM MRS. MAY E. DAVIS TO JAMES LAUGHLIN AND RUTH LAUGHLIN AND RECORDED IN VOLUME 21, PAGE 404 OF OFFICIAL RECORDS OF SAID COUNTY AND THE SOUTH LINE OF SAID PIMENTAL LOT TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PORTION OF THE ABOVE DESCRIBED REAL PROPERTY LYING EASTERLY OF THE WEST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE GRANT DEED FROM P.M. YPARRAGUIRRE AND BERTHA R. YPARRAGUIRRE TO BRIDGEPORT SCHOOL DISTRICT AND RECORDED IN VOLUME 81, PAGE 418 OF OFFICIAL RECORDS OF SAID COUNTY.

PARCEL 2: (APN 08-133-32)

THAT CERTAIN REAL PROPERTY IN THE COUNTY OF MONO, STATE OF CALIFORNIA, BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 25 EAST, MOUNT DIABLO BASE AND MERIDIAN, AND SAID PORTION ALSO BEING A PART OF PARCEL #2 AS DESCRIBED IN THE DEED FROM PAUL C. YPARRAGUIRRE TO P.M. AND BERTHA R. YPARRAGUIRRE AND RECORDED IN VOLUME 49, PAGE 348 OF OFFICIAL RECORDS OF SAID COUNTY, AND FURTHERMORE SAID PORTION ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE LOT FORMERLY OWNED BY A.S. PIMENTEL AND IRENE B. PIMENTEL AS DESCRIBED IN THE DEED RECORDED IN VOLUME 35, PAGE 22 OF OFFICIAL RECORDS OF SAID COUNTY;

THENCE ALONG A SOUTHERLY EXTENSION OF THE EASTERLY LINE OF SAID PIMENTEL LOT A DISTANCE OF 125.00 FEET;

THENCE IN A WESTERLY DIRECTION, ALONG THE SOUTH LINE OF SAID PARCEL #2, A DISTANCE OF 971.50 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF THE LOT FORMERLY OWNED BY THERESA LEAVITT AS DESCRIBED IN THE GRANT DEED FROM PAUL C. YPARRAGUIRRE TO THERESA LEAVITT AND RECORDED IN BOOK 45, PAGE 270 OF OFFICIAL RECORDS OF SAID COUNTY;

THENCE NORTHERLY ALONG THE EAST LINE OF SAID LEAVITT LOT, 25.00 FEET TO THE SOUTHEAST CORNER OF THE LOT DESCRIBED IN THE WARRANTY DEED FROM P.M. YPARRAGUIRRE AND BERTHA PARRAGUIRRE TO THERESA LEAVITT AND RECORDED IN VOLUME 23, PAGE 233 OF OFFICIAL RECORDS OF SAID COUNTY;

THENCE NORTHERLY ALONG THE EAST LINE OF SAID LAST MENTIONED LEAVITT LOT, A DISTANCE OF 100 FEET TO THE SOUTH LINE OF THE LOT DESCRIBED IN THE DEED FROM P.M. YPARRAGUIRRE AND BERTHA YPARRAGUIRRE TO THERESA LEAVITT AND RECORDED IN VOLUME 22, PAGE 38 OF OFFICIAL RECORDS OF SAID COUNTY;

THENCE EASTERLY ALONG SAID SOUTH LINE TO A POINT OF INTERSECTION WITH THE WEST LINE OF THAT PROPERTY DESCRIBED IN THE GRANT DEED FROM GEO. A. KIRKWOOD TO GRACE A. KIRKWOOD AND RECORDED IN VOLUME 2, PAGE 21 OF OFFICIAL RECORDS OF SAID COUNTY;

THENCE SOUTHERLY ALONG SAID WEST LINE OF KIRKWOOD TO THE SOUTHWEST CORNER OF SAID KIRKWOOD PROPERTY;

THENCE EASTERLY ALONG THE SOUTH LINE OF SAID KIRKWOOD PROPERTY; THE SOUTH LINE OF THE PROPERTY DESCRIBED IN THE DEED FROM C.R. WEDERTZ TO JACK C NICHOLS AND BETTY V. NICHOLS AND RECORDED IN VOLUME 32, PAGE 53 OF OFFICIAL RECORDS OF SAID COUNTY, THE SOUTH LINE OF THE PROPERTY DESCRIBED IN THE JOINT TENANCY DEED FROM GRACE PATRICIA DENTON TO N. EDWARD DENTON AND GRACE PATRICIA DENTON AND RECORDED IN VOLUME 34, PAGE 202 OF OFFICIAL RECORDS OF SAID COUNTY, THE SOUTH LINE OF THAT CERTAIN PARCEL OF LAND WITH DIMENSIONS SHOWN AS 300 FT X 300 FT AND ENTITLED "SCHOOL GROUNDS" PER THE MAP OF THE TOWN SITE OF BRIDGEPORT, RECORDED IN BOOK 1, PAGE 18 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THE SOUTH LINE OF THE PROPERTY DESCRIBED IN THE DEED FROM D.M. SMITH AND GERTRUDE SMITH TO C.W. WEST AND ALICE WEST AND RECORDED IN VOLUME 19, PAGE 497 OF OFFICIAL RECORDS OF SAID COUNTY, THE SOUTH LINE OF THE PROPERTY DESCRIBED IN THE JOINT TENANCY DEED FROM MRS. MAY E. DAVIS TO JAMES LAUGHLIN AND RUTH LAUGHLIN AND RECORDED IN VOLUME 21, PAGE 404 OF OFFICIAL RECORDS OF SAID COUNTY AND THE SOUTH LINE OF SAID PIMENTAL LOT TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PORTION OF THE ABOVE DESCRIBED REAL PROPERTY LYING WESTERLY OF THE EAST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE GRANT DEED FROM P.M. YPARRAGUIRRE AND BERTHA R. YPARRAGUIRRE TO BRIDGEPORT SCHOOL DISTRICT AND RECORDED IN VOLUME 81, PAGE 418 OF OFFICIAL RECORDS OF SAID COUNTY.

PARCEL 3: (APN'S 08-080-08, 08-142-25 & 08-143-01)

ALL THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 25 EAST, M.D.B. & M., IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE LAND DESCRIBED IN DEED TO THERESA LEAVITT RECORDED IN BOOK 45, PAGE 270 OF OFFICIAL RECORDS, SAID POINT ALSO BEING 421 FEET MORE OR LESS FROM THE INTERSECTION OF THE EAST LINE OF KIRKWOOD STREET WITH THE SOUTH LINE OF KINGSLEY STREET, IN THE TOWN OF BRIDGEPORT, MONO COUNTY, CALIFORNIA, RUNNING THENCE EASTERLY ALONG THE EASTERLY PROLONGATION THEREOF TO A POINT ON THE WEST LINE OF THE LAND DESCRIBED IN THE DEED TO THE BRIDGEPORT SCHOOL DISTRICT RECORDED IN BOOK 81, PAGE 418 OFFICIAL RECORDS OF MONO COUNTY, THENCE SOUTH ALONG SAID WEST LINE TO THE SOUTHWEST CORNER THEREOF THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LAND TO THE SOUTHEAST CORNER THEREOF; THENCE NORTHERLY ALONG THE EAST LINE OF SAID LAND TO A POINT ON THE SOUTH LINE OF THE LAND DESCRIBED IN THE DEED TO P. M. YPARRAGUIRRE, ET UX, RECORDED IN BOOK 49, PAGE 348 OF OFFICIAL RECORDS; THENCE EASTERLY ALONG THE EASTERLY PROLONGATION OF SAID SOUTH LINE TO A POINT ON THE WEST LINE OF THE LAND DESCRIBED IN THE DEED TO VENTURA BUTANE CORPORATION, RECORDED IN BOOK 60, PAGE 475 OF OFFICIAL RECORDS; THENCE SOUTHERLY ALONG SAID WEST LINE TO THE SOUTHWEST CORNER THEREOF THENCE EAST ALONG THE SOUTH LINE OF SAID LAND 250 FEET TO THE SOUTHEAST CORNER THEREOF, THENCE NORTH ALONG THE EAST LINE OF SAID LAND 250 FEET TO THE NORTHEAST CORNER THEREOF, THENCE WESTERLY TO THE SOUTHEAST CORNER OF THE LAND DESCRIBED IN THE DEED TO VERNE SUMMERS ET UX, RECORDED IN BOOK 27, PAGE 144 OFFICIAL RECORDS, THENCE NORTHERLY ALONG THE EAST LINE THEREOF TO THE SOUTHWEST CORNER OF THE LAND DESCRIBED IN THE DEED TO ROSS WILSON, RECORDED IN BOOK 45, PAGE 121, THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LAND 67.36 FEET MORE OR LESS TO THE SOUTHEAST CORNER THEREOF, THENCE NORTHERLY ALONG THE EAST LINE OF SAID LAND TO THE SOUTHWEST CORNER OF THE LAND DESCRIBED IN THE DEED TO MARTHA H. HAYS RECORDED IN BOOK 20, PAGE 266, OFFICIAL RECORDS THENCE IN AN EASTERLY DIRECTION 515 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF THE LAND DESCRIBED IN THE DEED TO M. N. CANNON ET UX, RECORDED IN BOOK 154, PAGE 361 OFFICIAL RECORDS, THENCE NORTH 8°30'00" WEST 175 FEET MORE OR LESS TO THE NORTHEAST CORNER THEREOF; THENCE EASTERLY ALONG THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LAND TO THE QUARTER SECTION LINE DIVIDING THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 25 EAST, THENCE SOUTHERLY ALONG SAID LINE TO THE NORTHEAST CORNER OF THE LAND DESCRIBED IN THE DEED TO E. A. MURPHY RECORDED IN BOOK M, PAGE 63 OF DEEDS, SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION, THENCE RUNNING WEST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER TO THE EAST LINE OF KIRKWOOD STREET, THENCE NORTH ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION OF SAID LAND LYING WITHIN THE BOUNDARIES OF ANY COUNTY OR STATE HIGHWAY.

ALSO EXCEPTING THEREFROM ANY PORTION OF SAID LAND BEING WITHIN THE BOUNDARY OF THAT CERTAIN COUNTY ROAD KNOWN AS LAUREL AVENUE.

ALSO EXCEPTING THEREFROM THAT PORTION OF SAID LAND DESCRIBED IN THE DEED TO THE COUNTY OF MONO, RECORDED IN BOOK 46, PAGE 432 OFFICIAL RECORDS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CONSTRUCTION CENTER LINE OF THE TWIN LAKES ROAD, SAID POINT BEING SOUTH 0°25' WEST, 506.30 FEET FROM A 1 INCH IRON PIN MARKING THE INTERSECTION OF THE CENTER LINES OF KINGSLEY AND KIRKWOOD STREETS, SAID 1 INCH IRON PIN BEING SOUTH 0°01' WEST, 1116.06 FEET, MORE OR LESS, FROM THE SECTION CORNER COMMON TO SECTIONS 28, 29, 32, AND 33, TOWNSHIP 5 NORTH, RANGE 25 EAST, M.D.B. & M.; THENCE NORTH 82°07' EAST 33.38 FEET TO THE EASTERN RIGHT-OF-WAY LINE OF THE TWIN LAKES ROAD AND THE TRUE POINT OF BEGINNING, SAID TRUE POINT OF BEGINNING BEING ALSO SOUTH 0°25' WEST 60.64 FEET, MORE OR LESS, FROM THE SOUTHWEST CORNER OF THE THERESA LEAVITT PROPERTY AS DESCRIBED IN BOOK 45, AT PAGE 270 OFFICIAL RECORDS, COUNTY OF MONO; THENCE, FROM SAID TRUE POINT OF BEGINNING NORTH 82°07' EAST, 371.37 FEET; THENCE SOUTH 7°53' EAST 400.00 FEET; THENCE SOUTH 82°07' WEST 428.83 FEET TO THE EASTERN RIGHT-OF-WAY LINE OF THE TWIN LAKES ROAD; THENCE NORTH 0°15'45" EAST ALONG SAID RIGHT-OF-WAY LINE 404.07 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT PORTION OF SAID LAND DESCRIBED IN THE DEED TO J. S. CAIN AND J. N. CAIN, HIS WIFE, RECORDED IN BOOK 47, PAGE 581, OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CONSTRUCTION CENTER LINE OF THE TWIN LAKES ROAD, SAID POINT BEING SOUTH $0^{\circ}25'$ WEST, 971.17 FEET FROM A 1 INCH IRON PIN MARKING THE INTERSECTION OF THE CENTER LINES OF KINGSLEY AND KIRKWOOD STREETS, SAID 1 INCH IRON PIN BEING SOUTH $0^{\circ}01'$ WEST, 1116.06 FEET, MORE OR LESS, FROM THE SECTION CORNER COMMON TO SECTIONS 28, 29, 32 AND 33, TOWNSHIP 5 NORTH, RANGE 25 EAST, M.D.B. & M.; THENCE NORTH $82^{\circ}07'$ EAST, 34.63 FEET TO THE EASTERN RIGHT-OF-WAY LINE OF THE TWIN LAKES ROAD AND THE TRUE POINT OF BEGINNING, SAID TRUE POINT OF BEGINNING BEING ALSO SOUTH $0^{\circ}15'45''$ WEST, 60.61 FEET, MORE OR LESS, FROM THE SOUTHWEST CORNER OF THE MONO COUNTY HOSPITAL PROPERTY AS DESCRIBED BY THE RECORD OF SURVEY FILED DECEMBER 22, 1959 IN BOOK 2 OF MAPS AT PAGE 26, OFFICIAL RECORDS, COUNTY OF MONO; THENCE, FROM SAID TRUE POINT OF BEGINNING NORTH $82^{\circ}07'$ EAST, 125.00 FEET THENCE, SOUTH $7^{\circ}53'$ EAST, 75.00 FEET, THENCE, SOUTH $82^{\circ}07'$ WEST 135.73 FEET TO THE EASTERN RIGHT-OF-WAY LINE OF THE TWIN LAKES ROAD, THENCE NORTH $0^{\circ}15'45''$ EAST ALONG SAID RIGHT-OF-WAY LINE 75.76 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 4: (PORTION OF APN: 08-080-08)

ALL THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 32 EAST, M.D.B. & M., IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF DESCRIBED AS FOLLOWS:

A STRIP OF LAND 40 FEET WIDE LYING 20 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE:

BEGINNING AT A POINT ON THE CENTER LINE OF LAUREL AVENUE IN THE TOWN OF BRIDGEPORT, COUNTY OF MONO, STATE OF CALIFORNIA, SAID POINT OF BEGINNING SOUTH $08^{\circ}10'11''$ EAST 320 FEET DISTANT FROM THE INTERSECTION OF THE CENTER LINE OF KINGSLEY STREET AND LAUREL AVENUE, THENCE SOUTH $08^{\circ}10'11''$ EAST ALONG AN EXTENSION OF SAID LAUREL AVENUE CENTER LINE 250.0 FEET.

COPIES FOR YOUR INFORMATION

U.S. DEPT. OF JUSTICE
ENV. & NAT. RES. DIV.
DENVER, CO

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

2013 JAN 10 PM 3: 29

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 1/5/13


Signature _____

ROBERT H. LYNN
Printed/Typed Name _____

If you are acting on behalf of any entity, identify that you are acting as: _____ of _____ (Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Robert H. Lynn
11448 Culver Park Drive
Culver City, CA 90230
(706) 344-9324

U.S. DEPT. OF JUSTICE
ENV. & NAT. RES. DIV.
DENVER, CO

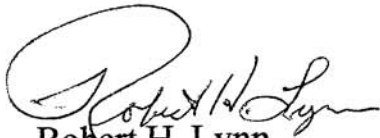
2013 JAN 10 PM 3:30

1/5/2013

Why am I a defendant in this case? I do not own any land in Mono County, California. I do have a permit, issued by the U.S. Department of Agriculture, Forest Service, to own a seasonal cabin on Lot #1 of the Virginia Lakes Tract on National Forest lands for personal, non-commercial use.

The cabin was built in 1927, at 9,800-foot elevation.

As an additional question, how is it that my deceased sister-in-law and deceased brother-in-law are served at my address? An explanation will be appreciated!


Robert H. Lynn

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintff

WALKER RIVER PAIUTE TRIBE,)

Plaintiff-Intervenor

vs.

WALKER RIVER IRRIGATION DISTRICT,

a corporation, et al.,

Defendant

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
999 18th Street, South Terrace - Suite 370
Denver, Colorado 80202

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

Robert H. Lynn
11448 Culver Park Drive
Culver City, CA 90230
(706) 344-9324

1/5/2013

Why am I a defendant in this case? I do not own any land in Mono County, California. I do have a permit, issued by the U.S. Department of Agriculture, Forest Service, to own a seasonal cabin on Lot #1 of the Virginia Lakes Tract on National Forest lands for personal, non-commercial use.

The cabin was built in 1927, at 9,800-foot elevation.

As an additional question, how is it that my deceased sister-in-law and deceased brother-in-law are served at my address? An explanation will be appreciated!


Robert H. Lynn

1 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
2 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
3 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

4 5. If I (or the entity on whose behalf I am acting) have retained an attorney to
5 represent me in these proceedings, I identify that attorney below, along with his or her mailing
6 address, telephone number, facsimile number, and e-mail address:

7 Attorney:

8 Address:

9
10 Phone Number:

11 Fax Number:

12 E-mail Address:

13
14 **PLEASE NOTE:** Attorneys are reminded that they are required to comply with the
15 electronic filing procedures of the U.S. District Court for District of Nevada.

16 "Attorneys who are admitted to the bar of this court, admitted to participate in a case
17 pro hac vice, or who are authorized to represent the United States and its agencies, shall
18 register as Filing Users of the System. Registration shall be in the form prescribed by
19 the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
20 Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

21
22 
(Signature)

23
24 ROBERT H. LYNN
(Printed or typed Name)

25
26 (Entity, if any, on whose
27 behalf you are appearing)

28 (Address)

(Telephone number)

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

2

EXHIBIT 215

FILE

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 12-14-12

Signature _____

Peter R. Mann
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Senior partner of _____

(Title)
Mann family Partnership
(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

FILE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintff

WALKER RIVER PAIUTE TRIBE,)

Plaintiff-Intervenor

vs.

WALKER RIVER IRRIGATION DISTRICT,

a corporation, et al.,

Defendant

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
999 18th Street, South Terrace - Suite 370
Denver, Colorado 80202

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1

EXHIBIT 216

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address:

Attorney:

Address:

Phone Number:

Fax Number:

E-mail Address:

PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.

"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

(Signature)

(Printed or typed Name)

Peter R. Mann

Senior Partner

(Entity, if any, on whose behalf you are appearing)

Mann Family Partnership

926 Brennerda Lane

(Address)

44776 Palmdale 16 90272

(Telephone number)

310 459 1425

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

2

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 12-20-12

Dorothy L. Mason
Signature

Dorothy L. Mason (Dorothy Lee Mason)
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

ELLISON, SCHNEIDER & HARRIS L.L.P.

ANNE J. SCHNEIDER
1947-2010

CHRISTOPHER T. ELLISON
JEFFERY D. HARRIS
DOUGLAS K. KERNER
ROBERT E. DONLAN
ANDREW B. BROWN
PETER J. KIEL
LYNN M. HAUG
CHRISTOPHER M. SANDERS
GREGGORY L. WHEATLAND

ATTORNEYS AT LAW

2600 CAPITOL AVENUE, SUITE 400
SACRAMENTO, CALIFORNIA 95816
TELEPHONE: (916) 447-2166
FACSIMILE: (916) 447-3512
<http://www.eslawfirm.com>

BRIAN S. BIERING
CRAIG A. CARNES, JR.
JEDEDIAH J. GIBSON
CHASE B. KAPPEL
SHANE E. C. MCCOIN
SAMANTHA G. POTTINGER

OF COUNSEL:
ELIZABETH P. EWENS
MARGARET G. LEAVITT
RONALD LIEBERT

January 23, 2013

Via Email to Eileen Rutherford: Eileen.rutherford@usdoj.gov

Mr. Guss Guarino
Trial Attorney
United States Department of Justice
999 18th Street
South Terrace – Suite 370
Denver, CO 80202

RE: United States v. Walker River Irrigation Dist, et al., in Equity No C-125; Subfile C-125-B

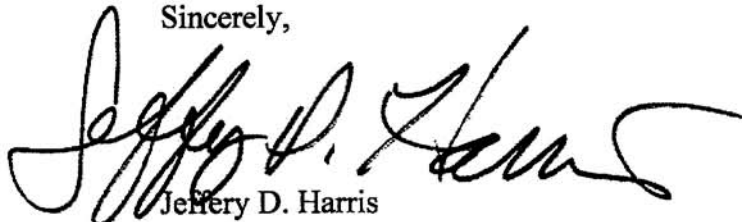
Dear Mr. Guarino:

Luanne C. Morikawa received a request for “Waiver of Service of Notice in Lieu of Summons” in the above-referenced matter for the following individuals: (1) William T. Morikawa and (2) Grace M. Morikawa. William T. Morikawa and Grace M. Morikawa are the deceased parents of Luanne C. Morikawa

Luanne C. Morikawa and her brother, Duane M. Morikawa, are the Executors and Trustees for the William T. Morikawa and Grace M. Morikawa Trust UDT dated 12/17/90 and are responsible for the subject property in Mono County.

Please find attached the requested for Waiver of Service of Notice in Lieu of Summons for the subject property. If you have any questions, I can be reached at (916) 447-2166. Thank you for your attention to this important matter.

Sincerely,



Jeffery D. Harris

Copy via US Mail

EXHIBIT 223

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 1-23-13

Luanne C. Morikawa William T. Morikawa
Signature

Luanne C. Morikawa Duane M. Morikawa
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Executors / Trustees of

William T. Morikawa and Grace M. Morikawa Trust
(Title)
(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
JAN 03 2013	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
DEPUTY	

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

In Equity No. C-125-ECR
Subfile No. C-125-B

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

DISCLAIMER OF INTEREST IN
WATER RIGHTS AND NOTICE OF
RELATED INFORMATION AND
DOCUMENTATION SUPPORTING
DISCLAIMER

WALKER RIVER IRRIGATION
DISTRICT,
a corporation, et al.,

Defendants.

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the Case Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk
United States District Court for the District of Nevada
400 South Virginia Street, Suite 301
Reno, NV 89501

And

Susan L. Schneider
United States Department of Justice
P.O. Box 756
Littleton, CO 80160

Susan L. Schneider
United States Department of Justice
999 18th Street
South Terrace - Suite 370
Denver, CO 80202

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed
6 ownership:

7 Name(s):

N/A

8
9 Street or P.O. Box:

10
11 Town or City:

12
13 State:

14
15 Zip Code:

16 2. The name and address of each person or entity who acquired ownership

17
18 Name(s):

N/A

19
20 Street or P.O. Box:

21
22 Town or City:

23
24 State:

25
26 Zip Code:

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3. Attached to or included with this notice is a copy of the (check appropriate box(es)): N/A

- ☐ Deed
- ☐ Court Order
- ☐ Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Disclaimer of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but, in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of this litigation.

Executed this 19th day of December 2012

 TRUSTEE

[signature of counter-defendant]

MURRAY LIVING TRUST
[name of counter-defendant]

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NORMAN D. MURRAY, TRUSTEE
[name, if applicable, of person acting on
behalf of counter-defendant]

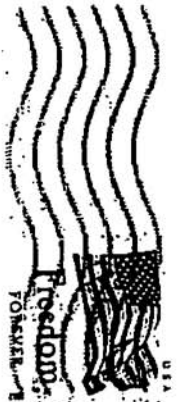
Rosemarie Murray, TRUSTEE
[signature, if applicable, of person acting on
behalf of Counter-Defendant]
ROSEMARIE MURRAY, TRUSTEE

54 HIXON DR.
COLEVILLE, CA 96107
[address]

530-495-2822
[telephone number]

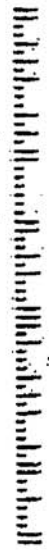
Dave & Rose Murray
54 Hixon Drive
Coeville, CA 96107

RENO NV 895
02 JAN 2013 PM 3 T



LINDA LEASHER,
U.S. District Ct
400 So Virginia St, Ste 301
RENO, NV 89501
CHIEF DEPT CLERK

89501+2195

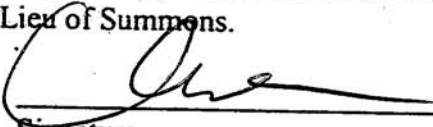


WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 1/10/2013


Signature

MICHAEL L. PATTON

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: TRUSTEE of

(Title)

MIKE PATTON FAMILY TRUST

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

<input type="checkbox"/> FILED	<input type="checkbox"/> RECEIVED
<input type="checkbox"/> ENTERED	<input type="checkbox"/> SERVED ON
COUNSEL/PARTIES OF RECORD	
JAN 22 2013	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

UNITED STATES OF AMERICA,

Plaintff

WALKER RIVER PAIUTE TRIBE,)

Plaintiff-Intervenor)

vs.)

WALKER RIVER IRRIGATION DISTRICT;)

a corporation, et al.,)

Defendant)

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
999 18th Street, South Terrace - Suite 370
Denver, Colorado 80202

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1

1 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
2 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
3 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

4 5. If I (or the entity on whose behalf I am acting) have retained an attorney to
5 represent me in these proceedings, I identify that attorney below, along with his or her mailing
6 address, telephone number, facsimile number, and e-mail address:

7 Attorney:

8 Address:

9
10 Phone Number:

11 Fax Number:

12 E-mail Address:

13 PLEASE NOTE: Attorneys are reminded that they are required to comply with the
14 electronic filing procedures of the U.S. District Court for District of Nevada.

15 "Attorneys who are admitted to the bar of this court, admitted to participate in a case
16 pro hac vice, or who are authorized to represent the United States and its agencies, shall
17 register as Filing Users of the System. Registration shall be in the form prescribed by
18 the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
19 Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

20 (Signature)

21 (Printed or typed Name)

MICHAEL L. PATTON, WISRE

22 MIKE PATTON FAMILY TRUST

23 (Entity, if any, on whose
24 behalf you are appearing)

25 4325 HOLLOW TREE CT

26 4 DR BA LINDA, CA 92826

27 (Address)

28 (714) 777-2352

(Telephone number)

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

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Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 300
Reno, Nevada 89501

Michael L. Patton
Trustee of the Mike Patton Family Trust
4325 Hollow Tree Ct.
Yorba Linda, CA 92886
(714)777-2352

January 17, 2013

RE: UNITED STATES OF AMERICA, WALKER RIVER PAIUTE TRIBE v.
WALKER RIVER IRRIGATION DISTRICT, et al.

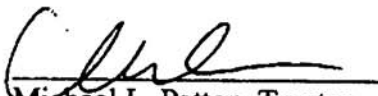
Dear Clerk,

Please accept and file this NOTICE OF APPEARANCE AND INTENT TO
PARTICIPATE for the above captioned case. Case Number;

IN EQUITY NO. C-125
SUBFILE NO. C-125-B

Please contact me if there are any problems. Thank you for your cooperation.

Sincerely,


Michael L. Patton, Trustee
Mike Patton Family Trust

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date:

1/03/13

Franklyn Phillips
Signature

Franklyn Phillips
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
JAN 22 2013	
No Copy	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BT. DEPUTY	

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

In Equity No. C-125-ECR
Subfile No. C-125-B

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

**DISCLAIMER OF INTEREST IN
WATER RIGHTS AND NOTICE OF
RELATED INFORMATION AND
DOCUMENTATION SUPPORTING
DISCLAIMER**

v.

WALKER RIVER IRRIGATION
DISTRICT,
a corporation, et al.,

Defendants.

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk
United States District Court for the District of Nevada
400 South Virginia Street, Suite 301
Reno, NV 89501

And

Susan L. Schneider	Susan L. Schneider
United States Department of Justice	United States Department of Justice
P.O. Box 756	999 18th Street
Littleton, CO 80160	South Terrace - Suite 370
	Denver, CO 80202

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed
6 ownership:

7 Name(s): Franklyn Phillips
8 Irene Lotspeich-Phillips

9 Street or P.O. Box: 12801 Dewey St.

10
11 Town or City: Los Angeles

12
13 State: California

14
15 Zip Code: 90066

16 2. The name and address of each person or entity who acquired ownership

17
18 Name(s): Martin Hilton
19 Elizabeth Morehead

20
21 Street or P.O. Box: 850 S. Bronson Ave

22
23 Town or City: Los Angeles

24
25 State: California

26
27 Zip Code: 90005

28
DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

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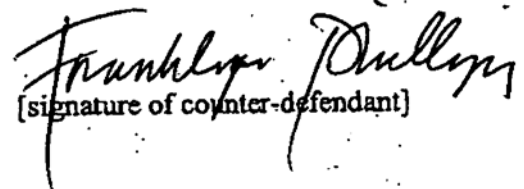
3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- ☒ Deed
☐ Court Order
☐ Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Disclaimer of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but, in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of this litigation.

Executed this 3rd day of Jan. 2013.


[signature of counter-defendant]

Franklyn Phillips
[name of counter-defendant]

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[name, if applicable, of person acting on
behalf of counter-defendant]

[signature, if applicable, of person acting on
behalf of Counter-Defendant]

[address]

[telephone number]

RECORDING REQUESTED BY:
Bmi Escrow, Inc.

NEW ADDRESS: Franklyn Phillips and
Irene Lotspeich-Phillips
12801 DEWEY STREET
LOS ANGELES, CA 90066
TEL. 310-390-3051

When Recorded Mail Document To:

Martin Andrew Hilton
Elizabeth Riegle Morehead
850 S. Bronson Ave
Los Angeles, CA 90005

Formerly:
10837 Charnock Rd.
Los Angeles, CA 90034

Escrow No.: 112297-dr
Title No.: 150-1342823-09
APN: 019-010-021-000

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

The undersigned grantor(s) declare(s) Documentary transfer tax is \$550.00.

- ☒ computed on full value of property conveyed, or
☐ computed on full value less value of liens or encumbrances remaining at time of sale,
Unincorporated area of Bridgeport

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Franklyn Phillips and Irene Lotspeich-Phillips

hereby GRANT(S) to

Martin Andrew Hilton and Elizabeth Riegle Morehead, Trustees of the Hilton Morehead 2009 Trust dated September 21, 2009

the following described real property in the County of Mono, State of California:

Legal description attached hereto and incorporated herein by this reference.

Dated: May 23, 2012

State of California
County of Inyo

On May 25, 2012 before me, Debra Ross, notary public, personally appeared Franklyn Phillips and Irene Lotspeich-Phillips who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature Debra Ross (Seal)

Franklyn Phillips
Franklyn Phillips

Irene Lotspeich-Phillips
Irene Lotspeich-Phillips



Order No. 150-1342823-09

Exhibit "A"

That certain Parcel designated as "Remainder" on Parcel Map No. 34-40, in the County of Mono, State of California, as per Map recorded in Book 4, Page 35 of Parcel Maps, in the Office of the County Recorder of said County.

Excepting therefrom an undivided 1/16 of all coal, oil, gas and other mineral deposit contained in said land, as reserved in the patent from the State of California, recorded August 6, 1935 in Book 10, Page 271 of Official Records.

Franklyn Phillips
12801 Dewey Street
Los Angeles, CA
90066 USA

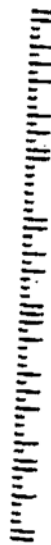
CERTIFIED MAILTM



7012 0470 0000 6472 6259

Linda Lea Sharer, Chief Deputy Clerk
United States District Court for the District of
Nevada
400 South Virginia Street, Suite 301
Reno, NV 89501

89501219576



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89501



U.S. POSTAGE
PAID
LOS ANGELES, CA
JAN 19, 13
\$5.95
00039244-04

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 1-20-13

Irene Lotspeich-Phillips
Signature

Irene Lotspeich-Phillips A.K.A. Irene L. Phillips
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
JAN 22 2013	
No Copy	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: <u>WJA</u> DEPUTY	

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

In Equity No. C-125-ECR

Subfile No. C-125-B

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

**DISCLAIMER OF INTEREST IN
WATER RIGHTS AND NOTICE OF
RELATED INFORMATION AND
DOCUMENTATION SUPPORTING
DISCLAIMER**

v.

WALKER RIVER IRRIGATION
DISTRICT,
a corporation, et al.,

Defendants.

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk
United States District Court for the District of Nevada
400 South Virginia Street, Suite 301
Reno, NV 89501

And

Susan L. Schneider	Susan L. Schneider
United States Department of Justice	United States Department of Justice
P.O. Box 756	999 18th Street
Littleton, CO 80160	South Terrace - Suite 370
	Denver, CO 80202

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed
6 ownership:

7 Name(s): Franklyn Phillips
8 Irene Lotspeich-Phillips

9 Street or P.O. Box: 12801 Dewey St.

10
11 Town or City: Los Angeles

12
13 State: California

14
15 Zip Code: 90066

16 2. The name and address of each person or entity who acquired ownership
17

18 Name(s): Martin Hilton
19 Elizabeth Morehead

20
21 Street or P.O. Box: 850 S. Bronson Ave

22
23 Town or City: Los Angeles

24
25 State: California

26
27 Zip Code: 90005

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DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

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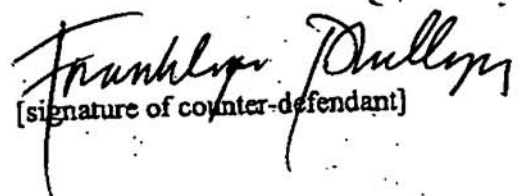
3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- ☒ Deed
- ☐ Court Order
- ☐ Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Disclaimer of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but, in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of this litigation.

Executed this 3rd day of Jan. 2013.


[signature of counter-defendant]

Franklyn Phillips
[name of counter-defendant]

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[name, if applicable, of person acting on
behalf of counter-defendant]

[signature, if applicable, of person acting on
behalf of Counter-Defendant]

[address]

[telephone number]

RECORDING REQUESTED BY:
Bmi Escrow, Inc.

NEW ADDRESS: Franklyn Phillips and
Irene Lotspeich-Phillips
12801 DEWEY STREET
LOS ANGELES, CA 90066
TEL. 310-390-3051

When Recorded Mail Document To:

Martin Andrew Hilton
Elizabeth Riegler Morehead
850 S. Bronson Ave
Los Angeles, CA 90005

Formerly:

10837 Charnock Rd.
Los Angeles, CA 90034

Escrow No.: 112297-dr
Title No.: 150-1342823-09
APN: 019-010-021-000

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GRANT DEED

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- ☒ computed on full value of property conveyed, or
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Franklyn Phillips
Franklyn Phillips

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Irene Lotspeich-Phillips
Irene Lotspeich-Phillips

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature *Debra Ross* (Seal)



Order No. 150-1342823-09

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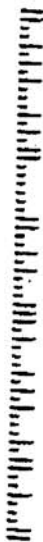
CERTIFIED MAIL[®]



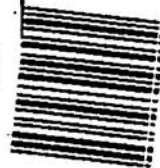
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